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resolution 16/21**

Saint Vincent and the Grenadines

The present report is a compilation of the information contained in reports of the treaty bodies and special procedures, including observations and comments by the State concerned, in reports of the United Nations High Commissioner for Human Rights, and in other relevant official United Nations documents. It is presented in a summarized manner owing to word-limit constraints. For the full texts, please refer to the documents referenced. The report does not contain any opinions, views or suggestions on the part of the Office of the United Nations High Commissioner for Human Rights other than those contained in public reports and statements issued by the Office. It follows the general guidelines adopted by the Human Rights Council in its decision 17/119. Information included herein has been systematically referenced in endnotes. The report has been prepared taking into consideration the periodicity of the review, and developments during that period.



I. Background and framework

A. Scope of international obligations¹

1. International human rights treaties²

	<i>Status during previous cycle</i>	<i>Action after review</i>	<i>Not ratified not accepted</i>
<i>Ratification, accession or succession</i>	ICERD (1981)	OP-CRC-AC (2011)	ICCPR-OP 2
	ICESCR (1981)		OP-CAT
	ICCPR (1981)		ICPPED (signature, 2010)
	CEDAW (1981)		
	CAT (2001)		
	CRC (1993)		
	OP-CRC-SC (2005)		
	ICRMW (2010)		
	CRPD (2010)		
	ICPPED (signature, 2010)		
<i>Reservations and/or declarations</i>		OP-CRC-AC (declaration, art. 3.2, minimum age recruitment, 19 years)	
<i>Complaints procedures, inquiries and urgent action³</i>	ICCPR-OP 1 (1981)		ICERD, art. 14
	CAT, art. 20 (2001)		OP-ICESCR
	OP-CRPD, art. 6 (2010)		ICCPR, art. 41
			OP-CEDAW
			CAT, arts. 21, 22
			OP-CRC-IC
			ICRMW, arts. 76 and 77

2. Other main relevant international instruments

	<i>Status during previous cycle</i>	<i>Action after review</i>	<i>Not ratified</i>
<i>Ratification, accession or succession</i>	Convention on the Prevention and Punishment of the Crime of Genocide		
	Rome Statute of the International Criminal Court		
	Palermo Protocol ⁴		

<i>Status during previous cycle</i>	<i>Action after review</i>	<i>Not ratified</i>
Conventions on refugees and stateless persons (except 1961 Convention on the Reduction of Statelessness) ⁵		1961 Convention on the Reduction of Statelessness
Geneva Conventions of 12 August 1949 and Additional Protocols I and II ⁶		Additional Protocol III to the 1949 Geneva Conventions ⁷
ILO fundamental conventions ⁸		ILO Conventions Nos. 169 and 189 ⁹
Convention against Discrimination in Education		

1. In 2015, the Committee on the Elimination of Discrimination against Women encouraged Saint Vincent and the Grenadines to ratify OP-CEDAW¹⁰ and to consider ratifying ICPED¹¹ and the Convention on the Recognition and Enforcement of Decisions relating to Maintenance Obligations.¹²

2. In 2013, the Special Rapporteur in the field of cultural rights urged the country to ratify OP-ICESCR, as well as the American Convention on Human Rights and the Additional Protocol thereto in the Area of Economic, Social and Cultural Rights.¹³ During her visit, the Special Rapporteur was not able to clarify the reasons for the situation regarding the ratification of the Convention and its Protocol.¹⁴

3. Recalling a recommendation from the first universal periodic review,¹⁵ the Office of the United Nations High Commissioner for Refugees (UNHCR) noted that the country was not yet a State party to the Convention on the Reduction of Statelessness, but that it had indicated that it was considering accession to that instrument.¹⁶

4. Consistent with the recommendations issued during the first universal periodic review, the United Nations subregional team for Barbados and the Organisation of Eastern Caribbean States encouraged Saint Vincent and the Grenadines to ratify international human rights instruments to which it is not yet a party, especially OP-CRC-IC.¹⁷

B. Constitutional and legislative framework

5. The United Nations subregional team indicated that, in 2009, Saint Vincent and the Grenadines had engaged in a constitutional reform effort after a consultative process with its people from 2003 to 2008. Among the proposed changes to the Constitution were a number of provisions with positive human rights implications. However, the proposed changes had been supported by only 43.13 per cent of voters in a referendum, short of the required two-thirds threshold.¹⁸

6. The Committee on the Elimination of Discrimination against Women noted the narrow legal definition of rape, which did not cover invasive acts, such as penetration with other body parts or objects, which currently fell under the offence of indecent assault. The Committee urged Saint Vincent and the Grenadines to widen the definition of rape, in order to include other forms of penetration or establish new offences to cover such conduct.¹⁹

7. The United Nations subregional team indicated that significant gaps remained in children protection laws owing to a significant backlog of legislation that still needed to be drafted or revised. It recommended that Saint Vincent and the Grenadines complete the review of the draft legislation relating to the rights of children and submit it to the Cabinet for approval as soon as possible.²⁰

C. Institutional and human rights infrastructure and policy measures

8. The Special Rapporteur on cultural rights noted that there was still no national human rights institution in Saint Vincent and the Grenadines.²¹

9. The subregional team noted that, during the first universal periodic review, Saint Vincent and the Grenadines had not accepted any of the recommendations to establish a national human rights institution in accordance with the principles relating to the status of national institutions for the promotion and protection of human rights (the Paris Principles). It recommended that, with the support of international partners, the country establish a national human rights institution in accordance with the Paris Principles.²²

10. The United Nations subregional team further recommended that Saint Vincent and the Grenadines establish an interministerial, institutionalized mechanism to monitor and report on the implementation of recommendations from international human rights mechanisms.²³

11. The Committee on the Elimination of Discrimination against Women recommended that Saint Vincent and the Grenadines strengthen the authority and visibility of the Gender Affairs Department. It also recommended consolidating gender-mainstreaming activities by adopting a multisectoral national gender policy.²⁴

12. The Committee on the Elimination of Discrimination against Women urged Saint Vincent and the Grenadines to provide sufficient technical, human and financial resources for the effective implementation of the National Action Plan on Gender-based Violence and to enhance cooperation with civil society organizations and other relevant stakeholders in that regard.²⁵

II. Cooperation with human rights mechanisms

A. Cooperation with treaty bodies

13. The Special Rapporteur on cultural rights noted that Saint Vincent and the Grenadines had not submitted its initial report to the Committee on Economic, Social and Cultural Rights²⁶ and encouraged the country to consider, as a priority, submitting it.²⁷

1. Reporting status

<i>Treaty body</i>	<i>Concluding observations included in previous review</i>	<i>Latest report submitted since previous review</i>	<i>Latest concluding observations</i>	<i>Reporting status</i>
Committee on the Elimination of Racial Discrimination	August 2003	-	-	Combined eleventh to thirteenth reports overdue since 2006
Committee on	November 1997 (review of	-	-	Initial report overdue since 1990

<i>Treaty body</i>	<i>Concluding observations included in previous review</i>	<i>Latest report submitted since previous review</i>	<i>Latest concluding observations</i>	<i>Reporting status</i>
Economic, Social and Cultural Rights	implementation in the absence of a report)			
Human Rights Committee	March 2006 (review of implementation in the absence of a report)	-	-	Second report overdue since 1991
Committee on the Elimination of Discrimination against Women	January 1997	2013	July 2015	Ninth report due in 2019
Committee against Torture	-	-	-	Initial report overdue since 2002
Committee on the Rights of the Child	June 2002	2013	-	Combined second to third reports pending consideration in 2016; initial report on OP-CRC-SC overdue since 2007; initial report on OP-CRC-AC overdue since 2013
Committee on the Protection of the Rights of All Migrant Workers and Members of Their Families	-	-	-	Initial report overdue since 2012
Committee on the Rights of Persons with Disabilities	-	-	-	Initial report overdue since 2012

2. Responses to specific follow-up requests by treaty bodies

<i>Concluding observations</i>			
<i>Treaty body</i>	<i>Due in</i>	<i>Subject matter</i>	<i>Submitted in</i>
Committee on the Elimination of Discrimination against Women	2017	Temporary special measures; violence against women ²⁸	-

B. Cooperation with special procedures²⁹

	<i>Status during previous cycle</i>	<i>Current status</i>
<i>Standing invitation</i>	No	No
<i>Visits undertaken</i>	-	Cultural rights
<i>Visits agreed to in principle</i>	-	-
<i>Visits requested</i>	-	-
<i>Responses to letters of allegation and urgent appeals</i>		
During the period under review, no communications were sent.		
<i>Follow-up reports and missions</i>		

C. Cooperation with the Office of the United Nations High Commissioner for Human Rights

14. To date, Saint Vincent and the Grenadines had had limited engagement with the Office.³⁰

III. Implementation of international human rights obligations, taking into account applicable international humanitarian law**A. Equality and non-discrimination**

15. The Committee on the Elimination of Discrimination against Women was concerned that there was no law on gender equality. It recommended that Saint Vincent and the Grenadines adopt new legislation that fully incorporates the principle of equality of women and men, as well as a definition and prohibition of discrimination on the basis of sex and gender in the public and private spheres.³¹ It noted with regret that the 2009 Constitution Bill, which included provisions for equal rights and the same legal status for women and men, as well as the prohibition of discrimination on the basis of sex, had been rejected by a referendum held on 25 November 2009.³² It recommended that Saint Vincent and the Grenadines review its legislation, including the Criminal Code, the Marriage Act, the Employment of Women, Young Persons and Children Act and the Citizenship Act (1984), by adopting a clear time frame and targets in relation to the law reform process, and amend or repeal all discriminatory provisions.³³

16. The United Nations subregional team noted that the Constitution prohibited discrimination on the basis of sex, race, place of origin, political opinions, colour or creed, but no specific legislation addressed discrimination based on sexual orientation, gender identity or social status.³⁴ It also noted that discrimination against lesbian, gay, bisexual and transgender persons included eviction, refusal to offer housing and employment and bullying in schools.³⁵

17. The Committee on the Elimination of Discrimination against Women recommended that Saint Vincent and the Grenadines put in place a comprehensive strategy to modify or to eliminate patriarchal attitudes and stereotypes that discriminate against women.³⁶

18. The Committee on the Elimination of Discrimination against Women was concerned about information stating that a married woman's ability to pass her nationality on to her husband was subject to the discretion of the responsible minister, who could refuse such transmission of nationality "on reasonable grounds". It recommended that Saint Vincent and the Grenadines amend its relevant legislation to grant women citizens equal rights with men regarding the transmission of their nationality to their foreign spouses.³⁷ UNHCR encouraged Saint Vincent and the Grenadines to amend its nationality legislation to grant women citizens equal rights with men regarding the transmission of their nationality to their foreign spouses.³⁸

B. Right to life, liberty and security of the person

19. In 2014, Saint Vincent and the Grenadines voted against the adoption by the General Assembly of resolution 69/186 on moratorium on the use of the death penalty.

20. The United Nations subregional team indicated that, in 2015, Parliament had passed the new Domestic Violence Act, which introduced a comprehensive definition of domestic violence and made reporting of domestic violence obligatory. While the Government collected data on the occurrence of violence, it did not specifically disaggregate those data by gender, age or locality. In addition, there was no specific ministry to further document or analyse those data. The Family Court and the police collected information on cases, but there was no pooling or analysing thereof.³⁹ The subregional team noted that the law did not specifically prohibit sexual harassment, although such harassment could be prosecuted under existing laws.⁴⁰

21. The Committee on the Elimination of Discrimination against Women noted that the police attitude sometimes actively discouraged women who were victims of violence from pursuing their complaint, given that the law enforcement officers treated them with contempt and hostility. It urged Saint Vincent and the Grenadines to encourage women to report incidents of sexual and domestic violence by destigmatizing victims and raising awareness about the grave and serious nature of such acts.⁴¹

22. The Committee on the Elimination of Discrimination against Women noted that women in same sex-relationships were excluded from the categories of persons who could apply for protection under the Domestic Violence Act. It urged Saint Vincent and the Grenadines to ensure that no woman is excluded from seeking and obtaining protection under the Act on the basis of the type of relationship in which she is engaged.⁴²

23. The United Nations subregional team stated that corporal punishment was lawful in the home, school and correctional/alternative care settings. It was also available as a criminal sentence for children. As part of an initiative to reform child laws in the region, the Organisation of Eastern Caribbean States had circulated a number of draft laws for consideration by member States, including Saint Vincent and the Grenadines. As originally drafted by the Organisation, corporal punishment as a criminal sentence would be prohibited in the Juvenile Justice Bill.⁴³ The United Nations subregional team recommended that Saint Vincent and the Grenadines urgently pass and proclaim the Juvenile Justice Bill, which embraces the restorative justice and non-punitive approaches to dealing with young offenders.⁴⁴

24. The Committee on the Elimination of Discrimination against Women was concerned about reports of sexual abuse of children by persons who paid the family to be silent and not to report the incidents, which led to sexual exploitation of children, placing them in a situation of forced prostitution.⁴⁵

25. The Committee on the Elimination of Discrimination against Women noted with concern that only three cases of human trafficking had been investigated in 2014 and five in 2013, none of which had resulted in prosecution. It recommended that Saint Vincent and the Grenadines strengthen measures to prevent and to respond effectively to incidents of transnational and internal trafficking for sexual abuse and exploitation, especially of girls under 18 years of age, including through awareness-raising initiatives, the prosecution and punishment of offenders and the establishment of specific support and rehabilitation programmes for victims.⁴⁶

26. The Committee on the Elimination of Discrimination against Women was concerned about the lack of alternative employment opportunities for women and girls who wished to leave prostitution. It recommended that Saint Vincent and the Grenadines enhance support services for victims of trafficking and sexual exploitation, including alternative employment.⁴⁷

27. According to the United Nations subregional team, there was insufficient data to determine how many children or young people were engaged in child labour.⁴⁸ The International Labour Organization (ILO) Committee of Experts on the Application of Conventions and Recommendations also requested Saint Vincent and the Grenadines take the necessary measures to ensure that sufficient data on the situation of children involved in the worst forms of child labour are made available.⁴⁹ The Committee also noted that the Employment of Women, Young Persons and Children Act did not contain a general prohibition on the employment of children below 18 years of age in hazardous work apart from the prohibition on night work.⁵⁰

C. Administration of justice, including impunity, and the rule of law

28. The United Nations subregional team reported that the judicial system suffered from long delays in preliminary inquiries for serious crimes, and that there was currently a backlog of cases in the Magistrate's Court in Kingstown. Delays were typically attributed to staff shortages in the judiciary. In addition, there were reports of witnesses refusing to cooperate for fear of retaliation.⁵¹ In 2011, the Supreme Court and Family Courts took steps to address witness intimidation by installing a video-link facility for vulnerable and child witnesses to testify.⁵²

29. The Committee on the Elimination of Discrimination against Women welcomed the adoption of the new Domestic Violence Act, which broadened the definition of domestic violence.⁵³ The United Nations subregional team noted that there were two Family Courts responsible for enforcing the protections outlined in the Domestic Violence Act. Domestic violence was not, however, treated as a criminal offence under the Act, although violation of an order issued under it could result in criminal sanctions.⁵⁴ The Committee on the Elimination of Discrimination against Women urged Saint Vincent and the Grenadines to amend the Criminal Code and/or the Domestic Violence Act to criminalize all acts of domestic violence covered by the Act and to explicitly criminalize marital rape.⁵⁵

30. The United Nations subregional team indicated that women and girls' access to justice was significantly hampered by a general lack of resources, a lack of understanding of the justice system and a lack of trust in the police and court system.⁵⁶

31. The United Nations subregional team noted that, as of April 2014, the Juvenile Justice Bill had been under discussion with a view to revising it before presentation to Parliament. Under the current Juveniles Act, a child was defined as a person under the age of 14 and the age of criminal responsibility was 8 years old. The Act also proscribed granting a juvenile bail when "the charge is one of homicide or other grave crime".⁵⁷

32. In 2015, shortcomings of the juvenile justice system were evident in the case of a 12-year-old girl who had been accused of homicide. Arrangements for holding the girl were complicated by the fact that Saint Vincent and the Grenadines did not have juvenile detention facilities for girls.⁵⁸

D. Right to privacy, marriage and family life

33. The United Nations subregional team reported that sexual acts between same-sex couples were illegal for both men and women in Saint Vincent and the Grenadines.⁵⁹

34. The Committee on the Elimination of Discrimination against Women was concerned that the Marriage Act set the minimum legal age for marriage at 15 years for girls and 16 years for boys. It urged Saint Vincent and the Grenadines to raise the minimum age of marriage to 18 years for girls and boys.⁶⁰

35. The Committee on the Elimination of Discrimination against Women noted with concern the existence of disparities between the child maintenance awards made by the courts to the children of unmarried mothers and those of married mothers. It recommended strengthening efforts to secure child maintenance payments in adequate amounts, ensuring that there were no disparities between those accorded to the children of married and unmarried mothers.⁶¹

36. The Committee on the Elimination of Discrimination against Women was concerned that women in de facto unions continued to be disadvantaged before the law. It recommended that Saint Vincent and the Grenadines expedite efforts to undertake reforms with a view to protecting the property rights of women upon the termination of de facto unions and giving them the right to financial support in case of need.⁶²

E. Freedom of religion or belief and expression, and right to participate in public and political life

37. The Special Rapporteur on cultural rights welcomed the official recognition of the Rastafarian religion. However, she encouraged the country to further address the concerns raised by Rastafarians regarding the pursuit of their cultural and religious life without hindrance or stigmatization.⁶³ The Special Rapporteur recommended that the country address the concerns raised by Rastafarians regarding the consumption of cannabis for religious purposes. She also encouraged the country to enact clear directives for prisons to ensure that Rastafarians held in prison would not have their dreadlocks cut.⁶⁴

38. The United Nations Educational, Scientific and Cultural Organization (UNESCO) recommended that Saint Vincent and the Grenadines decriminalize defamation and place it within a civil code that is in accordance with international standards.⁶⁵

39. The Committee on the Elimination of Discrimination against Women remained concerned about the stark underrepresentation of women at the highest levels of decision-making, noting that they represented only 13 per cent of parliamentarians and 9.1 per cent of ministers. It recommended that Saint Vincent and the Grenadines adopt, as a matter of priority, targeted measures to increase the percentage of women in appointed senior positions, the Government, the public service and the foreign service.⁶⁶

40. The United Nations subregional team indicated that the law provided women with equal access to vote and to run for election. Historically, women had outnumbered men at the polls. However, women were underrepresented in elected and senior positions within government.⁶⁷

41. The Committee on the Elimination of Discrimination against Women was concerned that no quota system has been introduced to promote the participation of women in political and public life. It recommended that Saint Vincent and the Grenadines amend the electoral law to allow for reserving at least 30 per cent of parliamentary seats for women⁶⁸ and to familiarize all relevant State officials and policymakers with the concept and use of temporary special measures and adopt and implement such measures to promote substantive equality of women and men.⁶⁹

F. Right to work and to just and favourable conditions of work

42. The Food and Agriculture Organization of the United Nations (FAO) reported that the unemployment rate of Saint Vincent and the Grenadines was 18.8 per cent.⁷⁰

43. The Committee on the Elimination of Discrimination against Women and the ILO Committee of Experts on the Application of Conventions and Recommendations,⁷¹ noted with concern that, in 2013, the labour force participation rate had been 55.7 per cent for women and 78.4 per cent for men. The Committee on the Elimination of Discrimination against Women recommended that Saint Vincent and the Grenadines adopt and implement policies in order to eliminate occupational segregation and achieve substantive equality of women and men in the labour market.⁷² The ILO Committee of Experts on the Application of Conventions and Recommendations noted that the labour inspection services had not found any cases of non-compliance with the principle of equal remuneration between men and women for work of equal value and that no workers had raised complaints in that respect. It considered that the absence of complaints on pay inequalities could result from the lack of knowledge of the rights derived from the Equal Remuneration Convention, 1951 (No. 100) among workers as well as law enforcers, or difficulties in accessing complaints and dispute resolution mechanism.⁷³

44. The ILO Committee of Experts on the Application of Conventions and Recommendations recommended that the Government of Saint Vincent and the Grenadines take the necessary measures to raise the minimum age for employment to work to 16 years, in order to link it with the age of completion of compulsory schooling.⁷⁴

45. The Committee on the Elimination of Discrimination against Women noted with concern that the Equal Pay Act, 1994, was not in conformity with the principle of equal remuneration for men and women for work of equal value. It recommended that Saint Vincent and the Grenadines amend section 3 (1) of the Act to ensure equal remuneration of women and men for work of equal value.⁷⁵

46. The Committee on the Elimination of Discrimination against Women was concerned that there was anecdotal evidence that some women who sought employment had been requested to provide sexual favours in exchange for being hired. It was also concerned that the existing national legislation did not cover all aspects of sexual harassment and that the Domestic Violence Act addressed harassment only in the private sphere. It recommended that Saint Vincent and the Grenadines adopt legislation specifically criminalizing sexual harassment in all settings, including in the workplace, and cover both soliciting sexual favours for advancement and working environments hostile to women.⁷⁶ The ILO Committee of Experts on the Application of Conventions and Recommendations also noted that there were no legislative, regulatory or other provisions designed to prohibit and eliminate sexual harassment in the workplace.⁷⁷

47. The ILO Committee of Experts on the Application of Conventions and Recommendations highlighted the lack of provisions specifically prohibiting discrimination in employment and occupation.⁷⁸

48. The ILO Committee of Experts on the Application of Conventions and Recommendations noted that the labour inspectorate's activities were relatively limited in Saint Vincent and the Grenadines⁷⁹ and highlighted the importance of ensuring that labour inspectors working in the agricultural sector receive appropriate training.⁸⁰

G. Right to social security and to an adequate standard of living

49. FAO reported that 30.2 per cent of the population in Saint Vincent and the Grenadines lived below the poverty line.⁸¹

50. The Committee on the Elimination of Discrimination against Women noted with concern that rural women, which included indigenous women, were disproportionately affected by poverty, unemployment and gender-based violence. It recommended that Saint Vincent and the Grenadines strengthen programmes to address gender-based violence, poverty and unemployment among rural women and ensure that they have improved access to health care, social services and the justice system.⁸²

51. FAO reported that the prevalence of undernourished people in Saint Vincent and the Grenadines was of 6.2 per cent of the population.⁸³

52. The Committee on the Elimination of Discrimination against Women was concerned about the high prevalence of female-headed households that also suffered from undue disadvantage and lack of social protection. It recommended that Saint Vincent and the Grenadines consider extending social protection schemes, including conditional cash transfers, targeting all vulnerable female-headed households.⁸⁴

53. The Special Rapporteur on cultural rights noted that, according to the Saint Vincent and the Grenadines Country Poverty Assessment 2007-2008, Final Report, the difficulties the country had had in its programme of poverty reduction had to be seen against the decline of the banana industry, on which it was largely dependent, in the latter years of the twentieth century. However, as also stated in the report, poverty and indigence had decreased from 1995-1996 to 2007-2008.⁸⁵

H. Right to health

54. The Committee on the Elimination of Discrimination against Women noted that abortion was illegal except in cases of rape, incest, risk to the life or physical or mental health of the pregnant woman or severe foetal impairment, as stipulated in section 149 of the Criminal Code. It recommended that Saint Vincent and the Grenadines remove penalties imposed on women who undergo abortion and ensure that section 149 of the Criminal Code is properly implemented to guarantee access to legal and safe abortion in cases of rape, incest, risk to the life or health of the pregnant woman or severe foetal impairment. It also recommended that the State ensure that women and girls have confidential access to adequate post-abortion care, including in cases of backstreet abortions.⁸⁶

55. The Committee on the Elimination of Discrimination against Women noted with appreciation the awareness-raising activities carried out by the Family Planning Coordinator to address such issues as responsible sexual behaviour, adolescent pregnancy, family planning services, including contraceptives, and sexually transmitted diseases. It recommended that Saint Vincent and the Grenadines ensure free and

adequate access to sexual and reproductive health services, in particular to modern contraceptive methods, for all women and girls, including those living on the outer islands, and strengthen age-appropriate school-based education on sexual and reproductive health and rights for adolescent girls and boys through the Health and Family Life Education Curriculum.⁸⁷

56. The Committee on the Elimination of Discrimination against Women also recommended that Saint Vincent and the Grenadines provides free and confidential family planning services at the community level, including in the Grenadines, and educate women and girls and men and boys on responsible sexual behaviour and the prevention of early and unwanted pregnancy and sexually transmitted diseases.⁸⁸

I. Right to education

57. The Committee on the Elimination of Discrimination against Women commended Saint Vincent and the Grenadines for achieving universal access to primary and secondary education. It noted with concern the high rate of teenage pregnancy, which resulted in high dropout rates. It recommended that Saint Vincent and the Grenadines consider means of reducing unwanted teenage pregnancy by continuing to promote education in sexual and reproductive health and rights and responsible sexual behaviour for girls and boys, and strengthen efforts to retain girls in school and facilitate the reintegration of pregnant girls and young mothers into schools by providing support services.⁸⁹

58. UNESCO reported that the Education Act of 2005 had made education at primary and secondary education compulsory for children, including those with special needs, and ensured liberty of expression in school.⁹⁰ It recommended that Saint Vincent and the Grenadines be encouraged to ensure comprehensive human rights training for teachers with a view to preventing any excessive use of force and consider prohibiting corporal punishment of children in all settings.⁹¹

59. The Special Rapporteur on cultural rights indicated that the efforts of Vincentians to research and write their nation's history following independence in 1979 had met with many difficulties. One of the major challenges was that the archives of the colonizers constituted the main sources of information, which posed difficulties in terms of both access and content.⁹²

60. The Special Rapporteur on cultural rights noted that a main concern was that textbooks, which were developed at the Caribbean (regional) level, continued to have a European perspective, although significant achievements had been made since the 1970s in that respect. It was also of concern that textbooks did not sufficiently reflect the specific history of Saint Vincent and the Grenadines and contained very little information on the Garifuna and Callinago peoples.⁹³

61. The Special Rapporteur recommended that the country: strengthen support to heritage clubs in schools, and find and support ways to integrate local histories and literature into the school curriculum, including through the use of information and communication technologies;⁹⁴ support the dissemination of alternative history textbooks and the organization of extracurricular activities on Vincentian history in schools;⁹⁵ address the issue at the Caribbean (regional) level on how local histories can be better reflected and incorporated in textbooks as well as examinations;⁹⁶ address the issue of access to relevant archives located in third countries, including by seeking support from these countries.⁹⁷

J. Cultural rights

62. The Special Rapporteur on cultural rights welcomed the efforts and steps taken by Saint Vincent and the Grenadines, to ensure better recognition of cultural diversity in the country and protection of tangible and intangible cultural heritage. She also welcomed the support provided to various groups in their objective to protect and safeguard their cultural heritage and their quest for history.⁹⁸ The Special Rapporteur recommended that the country: ensure, when conducting wide consultations for drafting its cultural policy, that stakeholders are informed sufficiently in advance with proper documentation;⁹⁹ ensure coherence between cultural and tourism policies, through specific procedures or mechanisms;¹⁰⁰ require cultural impact assessments prior to major private or public development projects;¹⁰¹ and pursue efforts to establish a space for training and development of cultural expressions.¹⁰²

63. The Special Rapporteur also recommended that the use of the "Other" category in population censuses aimed at elucidating the ethnic composition of the population be clarified, and that clear guidelines be published in that respect, and also encouraged the country to assess whether there is need to reformulate questions in the questionnaire for population censuses, and develop, in collaboration with relevant communities, indicators of cultural diversity that could be useful in terms of recognition, as well as for the planning institutions.¹⁰³

64. The Special Rapporteur recommended that Saint Vincent and the Grenadines continue its support to the National Trust and enhance its efforts for the rapid revival of the National Cultural Foundation.¹⁰⁴ She also recommended that it seek the assistance of the World Intellectual Property Organization and UNESCO, for documenting, registering and safeguarding traditional knowledge and traditional cultural expressions.¹⁰⁵

K. Persons with disabilities

65. According to the United Nations subregional team, the National Society of Persons with Disabilities developed a comprehensive draft national policy on persons with disabilities, ranging from human rights to health and employment. However, the draft policy was not on the agenda for implementation in the near future.¹⁰⁶

66. The United Nations subregional team also indicated that, although there were policies to support special education and there was a school for children with special needs, there were capacity concerns and gaps in teachers' expertise. There was also no tertiary-level vocational training, particularly for those with intellectual challenges.¹⁰⁷

67. UNESCO recommended that Saint Vincent and the Grenadines be encouraged to continue implementing measures for inclusive education programmes for students with disabilities in mainstream education.¹⁰⁸

L. Minorities

68. The Special Rapporteur on cultural rights noted that it had been stressed that, before colonial conquest, Callinagos and African populations intermingled and married, resulting in a third group, referred to as the Garifuna.¹⁰⁹ At the end of the eighteenth century, they had been deported to the Island of Baliceaux and then to Roatán.¹¹⁰ The Special Rapporteur recommended that the country consider the importance of Baliceaux Island for the Garifuna people, and ensure that their relationship to the island as a site of remembrance is respected and maintained.¹¹¹

M. Migrants, refugees and asylum seekers

69. UNHCR noted that Saint Vincent and the Grenadines faced a complex phenomenon of mixed migratory movements across the Caribbean. It was crucial that Saint Vincent and the Grenadines, as a country of transit, strengthen its capacity to appropriately manage those movements. There was a need for the country to cooperate with other countries in the region to collect and analyse data and to establish protection-sensitive entry systems, reception arrangements, mechanisms for profiling and referral of vulnerable migrants, differentiated processes and long-term solutions. When addressing all those aspects of migration movements, it should take into consideration the individual situation of persons in need of international protection, including groups with specific needs.¹¹²

70. UNHCR recommended that Saint Vincent and the Grenadines strengthen efforts to ensure that victims of trafficking are provided with an opportunity to seek asylum and enjoy corresponding rights and services.¹¹³

71. UNHCR indicated that, in the absence of national asylum and refugee legislation and procedures in Saint Vincent and the Grenadines, it, through its Red Cross partner, conducted registration of asylum seekers and refugee status determination in the country, and undertook the search for durable solutions for recognized refugees. Furthermore, with no established registration process for asylum seekers or a formal reception centre, asylum seekers were routinely detained upon arrival in the country. While Saint Vincent and the Grenadines had not intentionally or knowingly violated the principle of non-refoulement, more efforts to identify persons in need of international protection were needed by the State. UNHCR encouraged Saint Vincent and the Grenadines to develop formal procedures for determining refugee status.¹¹⁴

N. Right to development, and environmental issues

72. The Committee on the Elimination of Discrimination against Women was concerned that rural women were particularly vulnerable to the effects of natural disasters, as evidenced by recent hurricanes and storms, as well as the impact of climate change. It recommended that Saint Vincent and the Grenadines ensure that the development and implementation of policies and programmes on disaster preparedness, response to natural disasters and impacts of climate change, as well as other emergencies, are based on a comprehensive gender analysis and mainstream the concerns of women, especially those of rural women, and include them in the design and management of such programmes.¹¹⁵

Notes

¹ Unless indicated otherwise, the status of ratification of instruments listed in the table may be found on the official website of the United Nations Treaty Collection database, Office of Legal Affairs of the United Nations Secretariat, <http://treaties.un.org/>. Please also refer to the United Nations compilation on Saint Vincent and the Grenadines from the previous cycle (A/HRC/WG.6/11/VCT/2).

² The following abbreviations are used in the present document:

ICERD	International Convention on the Elimination of All Forms of Racial Discrimination
ICESCR	International Covenant on Economic, Social and Cultural Rights
OP-ICESCR	Optional Protocol to ICESCR
ICCPR	International Covenant on Civil and Political Rights
ICCPR-OP 1	Optional Protocol to ICCPR

ICCPR-OP 2	Second Optional Protocol to ICCPR, aiming at the abolition of the death penalty
CEDAW	Convention on the Elimination of All Forms of Discrimination against Women
OP-CEDAW	Optional Protocol to CEDAW
CAT	Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment
OP-CAT	Optional Protocol to CAT
CRC	Convention on the Rights of the Child
OP-CRC-AC	Optional Protocol to CRC on the involvement of children in armed conflict
OP-CRC-SC	Optional Protocol to CRC on the sale of children, child prostitution and child pornography
OP-CRC-IC	Optional Protocol to CRC on a communications procedure
ICRMW	International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families
CRPD	Convention on the Rights of Persons with Disabilities
OP-CRPD	Optional Protocol to CRPD
ICPPED	International Convention for the Protection of All Persons from Enforced Disappearance

³ Individual complaints: ICCPR-OP 1, art. 1; OP-CEDAW, art. 1; OP-CRPD, art. 1; OP-ICESCR, art. 1; OP-CRC-IC, art. 5; ICERD, art. 14; CAT, art. 22; ICRMW, art. 77; and ICPPED, art. 31. Inquiry procedure: OP-CEDAW, art. 8; CAT, art. 20; ICPPED, art. 33; OP-CRPD, art. 6; OP-ICESCR, art. 11; and OP-CRC-IC, art. 13. Inter-State complaints: ICCPR, art. 41; ICRMW, art. 76; ICPPED, art. 32; CAT, art. 21; OP-ICESCR, art. 10; and OP-CRC-IC, art. 12. Urgent action: ICPPED, art. 30.

⁴ Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, supplementing the United Nations Convention against Transnational Organized Crime.

⁵ 1951 Convention relating to the Status of Refugees and its 1967 Protocol, 1954 Convention relating to the Status of Stateless Persons, and 1961 Convention on the Reduction of Statelessness.

⁶ Geneva Convention for the Amelioration of the Condition of the Wounded and Sick in Armed Forces in the Field (First Convention); Geneva Convention for the Amelioration of the Condition of Wounded, Sick and Shipwrecked Members of Armed Forces at Sea (Second Convention); Geneva Convention relative to the Treatment of Prisoners of War (Third Convention); Geneva Convention relative to the Protection of Civilian Persons in Time of War (Fourth Convention); Protocol Additional to the Geneva Conventions of 12 August 1949, and relating to the Protection of Victims of International Armed Conflicts (Protocol I); Protocol Additional to the Geneva Conventions of 12 August 1949, and relating to the Protection of Victims of Non-International Armed Conflicts (Protocol II). For the official status of ratifications, see International Committee of the Red Cross, www.icrc.org/ihl.

⁷ Protocol Additional to the Geneva Conventions of 12 August 1949, and relating to the Adoption of an Additional Distinctive Emblem (Protocol III). For the official status of ratifications, see International Committee of the Red Cross, www.icrc.org/ihl.

⁸ International Labour Organization (ILO) Forced Labour Convention, 1930 (No. 29); Abolition of Forced Labour Convention, 1957 (No. 105); Freedom of Association and Protection of the Right to Organise Convention, 1948 (No. 87); Right to Organise and Collective Bargaining Convention, 1949 (No. 98); Equal Remuneration Convention, 1951 (No. 100); Discrimination (Employment and Occupation) Convention, 1958 (No. 111); Minimum Age Convention, 1973 (No. 138); Worst Forms of Child Labour Convention, 1999 (No. 182).

⁹ ILO Indigenous and Tribal Peoples Convention, 1989 (No. 169), and Domestic Workers Convention, 2011 (No. 189).

¹⁰ See CEDAW/C/VCT/CO/4-8, para. 48.

¹¹ *Ibid.*, para. 53.

¹² *Ibid.*, para. 43.

¹³ See A/HRC/23/34/Add.2, para. 68.

- ¹⁴ Ibid., para. 26.
- ¹⁵ See the recommendation contained in A/HRC/18/15, para. 78.6 (Slovakia) and A/HRC/18/15/Add.1, para. 7: "The Government of Saint Vincent and the Grenadines attaches great importance to the objectives underpinning this convention, being a party to the Convention relating to the Status of Refugees and the Convention relating to the Status of Stateless Persons and will continue to give consideration to the ratification to the convention."
- ¹⁶ UNHCR submission for the universal periodic review of Saint Vincent and the Grenadines, p. 5.
- ¹⁷ United Nations subregional team for Barbados and the Organisation of Eastern Caribbean States submission for the universal periodic review of Saint Vincent and the Grenadines, p. 1.
- ¹⁸ Ibid., p. 1.
- ¹⁹ See CEDAW/C/VCT/CO/4-8, paras. 20 and 21.
- ²⁰ Subregional team submission for the universal periodic review of Saint Vincent and the Grenadines, pp. 2 and 6.
- ²¹ See A/HRC/23/34/Add.2, para. 14.
- ²² Subregional team submission for the universal periodic review of Saint Vincent and the Grenadines, p. 2.
- ²³ Ibid., p. 2.
- ²⁴ See CEDAW/C/VCT/CO/4-8, para. 15.
- ²⁵ Ibid., para. 21.
- ²⁶ See A/HRC/23/34/Add.2, para. 28.
- ²⁷ Ibid., para. 68.
- ²⁸ See CEDAW/C/VCT/CO/4-8, para. 54.
- ²⁹ For the titles of special procedure mandate holders, see www.ohchr.org/EN/HRBodies/SP/Pages/Welcomepage.aspx.
- ³⁰ Subregional team submission for the universal periodic review of Saint Vincent and the Grenadines, p. 3.
- ³¹ See CEDAW/C/VCT/CO/4-8, para. 11.
- ³² Ibid., para. 10.
- ³³ Ibid., paras. 12 and 13.
- ³⁴ Subregional team submission for the universal periodic review of Saint Vincent and the Grenadines, p. 3.
- ³⁵ Ibid., p. 8.
- ³⁶ See CEDAW/C/VCT/CO/4-8, para. 19.
- ³⁷ Ibid., paras. 26 and 27.
- ³⁸ UNHCR submission for the universal periodic review of Saint Vincent and the Grenadines, p. 6.
- ³⁹ Subregional team submission for the universal periodic review of Saint Vincent and the Grenadines, pp. 3-4.
- ⁴⁰ Ibid., p. 5.
- ⁴¹ See CEDAW/C/VCT/CO/4-8, paras. 20 and 21.
- ⁴² Ibid., paras. 20 and 21.
- ⁴³ Subregional team submission for the universal periodic review of Saint Vincent and the Grenadines, pp. 6-7.
- ⁴⁴ Ibid., p. 7.
- ⁴⁵ See CEDAW/C/VCT/CO/4-8, para. 22.
- ⁴⁶ Ibid., paras. 22 and 23.
- ⁴⁷ Ibid., para. 23.
- ⁴⁸ Subregional team submission for the universal periodic review of Saint Vincent and the Grenadines, p. 9.
- ⁴⁹ ILO Committee of Experts on the Application of Conventions and Recommendations, direct request concerning the Worst Forms of Child Labour Convention, 1999 (No. 182) adopted in 2013, published 103rd ILC session (2014), available from www.ilo.org/dyn/normlex/en/f?p=1000:13100:0::NO:13100:P13100_COMMENT_ID:3139041.
- ⁵⁰ ILO Committee of Experts on the Application of Conventions and Recommendations, direct request concerning the Minimum Age Convention, 1973 (No. 138) adopted in 2013, published 103rd ILC session (2014), available from www.ilo.org/dyn/normlex/en/f?p=1000:13100:0::NO:13100:P13100_COMMENT_ID:3138998.

- ⁵¹ Subregional team submission for the universal periodic review of Saint Vincent and the Grenadines, p. 8.
- ⁵² *Ibid.*, p. 9.
- ⁵³ See CEDAW/C/VCT/CO/4-8, para. 20.
- ⁵⁴ *Ibid.*, p. 4.
- ⁵⁵ See CEDAW/C/VCT/CO/4-8, para. 21.
- ⁵⁶ Subregional team submission for the universal periodic review of Saint Vincent and the Grenadines, p. 4.
- ⁵⁷ *Ibid.*, p. 6.
- ⁵⁸ *Ibid.*, p. 6.
- ⁵⁹ *Ibid.*, pp. 7-8.
- ⁶⁰ See CEDAW/C/VCT/CO/4-8, paras. 44 and 45.
- ⁶¹ *Ibid.*, paras. 42 and 43.
- ⁶² *Ibid.*, paras. 42 and 43.
- ⁶³ See A/HRC/23/34/Add.2, para. 32.
- ⁶⁴ *Ibid.*, para. 64 (f).
- ⁶⁵ See UNESCO submission for the universal periodic review of Saint Vincent and the Grenadines, para. 38.
- ⁶⁶ See CEDAW/C/VCT/CO/4-8, paras. 24 and 25.
- ⁶⁷ Subregional team submission for the universal periodic review of Saint Vincent and the Grenadines, p. 5.
- ⁶⁸ See CEDAW/C/VCT/CO/4-8, paras. 24 and 25.
- ⁶⁹ *Ibid.*, para. 17.
- ⁷⁰ FAO, *State of Food Insecurity in the CARICOM Caribbean: meeting the 2015 hunger targets: taking stock of uneven progress* (FAO, Bridgetown, 2015), p. 12.
- ⁷¹ ILO Committee of Experts on the Application of Conventions and Recommendations, direct request concerning the Equal Remuneration Convention, 1951 (No. 100) adopted in 2014, published 104th ILC session (2015), available from www.ilo.org/dyn/normlex/en/f?p=1000:13100:0::NO:13100:P13100_COMMENT_ID:3187712.
- ⁷² See CEDAW/C/VCT/CO/4-8, paras. 30 and 31.
- ⁷³ ILO Committee of Experts on the Application of Conventions and Recommendations, direct request concerning the Equal Remuneration Convention, 1951 (No. 100) adopted in 2014, published 104th ILC session (2015).
- ⁷⁴ ILO Committee of Experts on the Application of Conventions and Recommendations, direct request concerning the Minimum Age Convention, 1973 (No. 138) adopted in 2013, published 103rd ILC session (2014).
- ⁷⁵ See CEDAW/C/VCT/CO/4-8, paras. 32 and 33.
- ⁷⁶ *Ibid.*, paras. 34 and 35.
- ⁷⁷ ILO Committee of Experts on the Application of Conventions and Recommendations, direct request concerning the Discrimination (Employment and Occupation) Convention, 1958 (No. 111) adopted in 2014, published 104th ILC session (2015), available from www.ilo.org/dyn/normlex/en/f?p=1000:13100:0::NO:13100:P13100_COMMENT_ID:3187760.
- ⁷⁸ *Ibid.*
- ⁷⁹ *Ibid.*
- ⁸⁰ ILO Committee of Experts on the Application of Conventions and Recommendations, direct request concerning the Labour Inspection (Agriculture) Convention, 1969 (No. 129) adopted in 2013, published 103rd ILC session (2014), available from www.ilo.org/dyn/normlex/en/f?p=1000:13100:0::NO:13100:P13100_COMMENT_ID:3138975.
- ⁸¹ FAO, *State of Food Insecurity in the CARICOM Caribbean*, p. 13.
- ⁸² See CEDAW/C/VCT/CO/4-8, paras. 40 and 41.
- ⁸³ FAO, *State of Food Insecurity in the CARICOM Caribbean*, p. 2.
- ⁸⁴ See CEDAW/C/VCT/CO/4-8, paras. 40 and 41.
- ⁸⁵ See A/HRC/23/34/Add.2, para. 7.
- ⁸⁶ See CEDAW/C/VCT/CO/4-8, paras. 38 and 39. See also subregional team submission for the universal periodic review of Saint Vincent and the Grenadines, p. 11.
- ⁸⁷ See CEDAW/C/VCT/CO/4-8, paras. 36 and 37.

- ⁸⁸ Ibid., para. 37.
⁸⁹ Ibid., paras. 28 and 29.
⁹⁰ UNESCO submission for the universal periodic review of Saint Vincent and the Grenadines, para. 35.
⁹¹ Ibid., para. 35.
⁹² See A/HRC/23/34/Add.2, para. 34.
⁹³ Ibid., para. 48.
⁹⁴ Ibid., para. 64 (d).
⁹⁵ Ibid., para. 64 (e).
⁹⁶ Ibid., para. 64 (f).
⁹⁷ Ibid., para. 64 (g).
⁹⁸ Ibid., para. 63.
⁹⁹ Ibid., para. 64 (a).
¹⁰⁰ Ibid., para. 64 (b).
¹⁰¹ Ibid., para. 64 (c).
¹⁰² Ibid., para. 64 (j).
¹⁰³ Ibid., para. 65.
¹⁰⁴ Ibid., para. 66.
¹⁰⁵ Ibid., para. 67 (d).
¹⁰⁶ Subregional team submission for the universal periodic review of Saint Vincent and the Grenadines, p. 12.
¹⁰⁷ Ibid., p. 12.
¹⁰⁸ UNESCO submission for the universal periodic review of Saint Vincent and the Grenadines, para. 35.
¹⁰⁹ See A/HRC/23/34/Add.2, para. 37.
¹¹⁰ Ibid., para. 39.
¹¹¹ Ibid., para. 64 (h).
¹¹² UNHCR submission for the review of Saint Vincent and the Grenadines, p. 4.
¹¹³ Ibid., p. 5.
¹¹⁴ Ibid., p. 3.
¹¹⁵ See CEDAW/C/VCT/CO/4-8, paras. 40 and 41.